

**DURHAM, NORTH CAROLINA
MONDAY, FEBRUARY 2, 2015
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor William V. Bell, Mayor Pro-Tempore Cora Cole-McFadden and Councilmembers Eugene Brown, Diane Catotti, Eddie Davis, Don Moffitt and Steve Schewel. Absent: None.

Also present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk D. Ann Gray and Deputy City Clerk Dianalynn Schreiber.

Mayor Bell called the meeting to order with a moment of silent meditation followed by the Pledge of Allegiance led by Councilmember Brown.

[CEREMONIAL ITEMS]

Mayor Bell read a proclamation in celebration of Keep Durham Beautiful Award Presentation that consisted of a presentation of \$10,000 grant by Waste Management to Keep Durham Beautiful; and introduced the following persons: Tania Dautlick, Coordinator of Keep Durham Beautiful; Joel Reitzer, Director of General Services; Robert Williams, Assistant Director of Solid Waste Management Department; and Laura Webb Smith, Education Coordinator Stormwater Services of the Public Works Department.

Mayor Bell stated that Keep Durham Beautiful was being recognized for assisting the City in preventing stormwater pollution, reducing litter and promoting recycling through the Waste Management grant; noted that Durham's Urban Tier was seeing an increase in residential, visitor and workforce population as a result of successful revitalization promoted by the efforts of the Durham City Council; as a result, the increased activity had the potential to increase the generation of roadside litter and waste; stated that roadside waste negatively impacted the City's economic vitality and environmental quality; spoke to Keep Durham Beautiful's multiple litter cleanups throughout the year; stated the grant would target three approaches to preventing litter by instituting a social marketing campaign, introducing recycling receptacles in Downtown and improving recycling at special events; and specified that the program relied heavily on partnerships with the Public Works Department, Solid Waste Management Department and the partnership with Downtown Durham, Inc. and Duke University's Nicholas School of the Environment.

Ms. Dautlick described the program and thanked the City's partners and Waste Management for their support in enhancing public spaces.

Amanda Fairley, Mandy Taylor and Chip Dodd, representing Waste Management, spoke to the grant and encouraged litter prevention and recycling efforts; and explained the rationale for awarding the grant.

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Representatives of Waste Management and Keep Durham Beautiful assembled for a photograph in front of the dais with the facsimile of the \$10,000 check; and presented the check to Mayor Bell.

[ANNOUNCEMENTS BY COUNCIL]

Mayor Bell asked if there were any announcements by Council.

Councilmember Moffitt recognized the college students from an ethics course held at Duke University; and explained to the students that Council's primary work was accomplished at the previous Work Session.

[PRIORITY ITEMS]

Mayor Bell asked for priority items by the City Manager, City Attorney and City Clerk.

The City Manager, City Attorney and City Clerk confirmed that they had no priority items.

The Mayor stated the consent agenda would be approved with a single motion and items pulled from that agenda by a citizen or councilmember would be discussed at the end of the agenda.

Mayor Bell read the items on the consent agenda; and at the request of a citizen, Item #7 "Resolution Authorizing a Public Art Project on the NC 147 Retaining Wall on the South Side of Willard Street" was pulled.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Brown, to approve the Consent Agenda as amended was approved at 7:10 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

[CONSENT AGENDA]

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Brown, to approve the City Council minutes for the November 20, 2014 and December 4, 2014 Work Sessions and the December 1, 2014 and December 15, 2014 regular City Council meetings was approved at 7:10 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

SUBJECT: GRANT AGREEMENT FOR CONSTRUCTION OF BICYCLE AND PEDESTRIAN FACILITIES ON UNIVERSITY DRIVE (TIP # EB-5514)

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MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Brown, to adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year 2014-15, as amended, the same being Ordinance # 14623, for the purpose of receiving the federal and state funds; and

To adopt a Resolution Authorizing the City Manager to execute a grant agreement with North Carolina Department of Transportation (NCDOT) was approved at 7:10 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

**ORDINANCE #14713
RESOLUTION #9918**

**SUBJECT: BARBEE ROAD, HERNDON ROAD, MASSEY CHAPEL ROAD
ROUNDAABOUT SIDEWALK AGREEMENT WITH N. C. DEPARTMENT
OF TRANSPORTATION**

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Brown, to authorize the City Manager to execute the Barbee Road, Herndon Road, Massey Chapel Road Roundabout Sidewalk Agreement with the N. C. Department of Transportation for the construction of new sidewalk within the City limits was approved at 7:10 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

SUBJECT: BID REPORT - DECEMBER 2014

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Brown, to receive a report and to record into minutes bids which were acted upon by the City Manager during the month of December 2014 was approved at 7:10 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.



City of Durham | North Carolina

Date: January 5, 2015

To: Thomas J. Bonfield, City Manager

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Through: Wanda S. Page Deputy City Manager

**From: David Boyd, Finance Director
Jonathan Hawley, Purchasing Supervisor**

Subject: Bid Report - December 2014

Recommendation

To receive a report and to record into the minutes bids which were acted upon by the City Manager during the month of December 2014.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

- 1. Bid: Tools for the gate valve**
Purpose of Bid: Provides the Water Management Department with replacement Kravitch tools for the WM/Water and Sewer Operations.
Comments: Fortline Waterworks is sole authorized provider of Kravitch tools which integrates with existing gate valve systems.
Opened: 12/3/14
Bidders: Fortline Waterworks * \$12,619.00

*Awarded based on: _____ Low Bid _____ x Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	<u>408</u>		# Black Males	<u>29</u>	<u>7%</u>
Total # Females	<u>42</u>	10	# White Males	<u>309</u>	<u>76</u>
		%			%
Total # Males	<u>366</u>	90	# Other Males	<u>28</u>	<u>7%</u>
		%			
			# Black Females	<u>4</u>	<u>1%</u>
			# White Females	<u>38</u>	<u>9%</u>
			# Other Females	<u>0</u>	<u>0%</u>

- 2. Bid: Folding Tables and Chairs**
Purpose of Bid: Provides the Parks and Recreation Department with replacement folding tables and chairs for various parks locations.

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Comments:

Opened:	12/5//14		
Bidders:	Mity-Lite, Inc.	*	\$16,177.91
	Orem, UT		
	Uline		\$17,377.00
	Pleasant Prairie, WI		
	Global Industries Inc.		\$18,059.05
	Grand Island, NE		

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	244		# Black Males	3	1%
Total # Females	55	23	# White Males	144	59
		%			%
Total # Males	189	77	# Other Males	42	17
		%			%
			# Black Females	0	0%
			# White Females	32	13
					%
			# Other Females	23	9%

- 3. Bid: Replacement Vehicle**
 Purpose of Bid: Provides the Fleet Maintenance Department with replacement vehicle for the Transpiration Department-DATA Division (Administration).
 Comments: NC State Term Contract #070A

Opened:	12/5/2014		
Bidders:	University Ford, Inc.	*	\$17,626.00
	Durham, NC		

*Awarded based on:	_____	Low Bid	X	Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

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Total Workforce	133		# Black Males	16	12%
Total # Females	<u>19</u>	14%	# White Males	<u>97</u>	72%
Total # Males	<u>114</u>	<u>86%</u>	# Other Males	<u>1</u>	1%
			# Black Females	<u>1</u>	1%
			# White Females	<u>18</u>	14%
			# Other Females	<u>0</u>	0%

- 4. Bid: Replacement Vehicle**
 Purpose of Bid: Provides the Fleet Maintenance Department with replacement vehicle for the Transpiration Department-DATA Division (Safety).

Comments:

Opened: 12/9/2014
 Bidders: University Ford Inc. * \$24,715.00
 Durham, NC
 Capital Ford Inc. \$25,050.00
 Raleigh, NC

*Awarded based on: x Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	133		# Black Males	16	12%
Total # Females	<u>19</u>	14%	# White Males	<u>97</u>	72%
Total # Males	<u>114</u>	<u>86%</u>	# Other Males	<u>1</u>	1%
			# Black Females	<u>1</u>	1%
			# White Females	<u>18</u>	14%
			# Other Females	<u>0</u>	0%

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5. Bid: Laboratory Equipment and Supplies

Purpose of Bid: Provides the Water Management with analyses chemicals and supplies for the Williams Water Treatment Plant.

Comments:

Opened: 12/10/2014

Bidders: Analytical Services Inc. (ASI) * \$28,182.00

Williston, VT

Eurofins Eaton Analytical \$31,140.00

South Bend, IN

*Awarded based on:

X Low Bid

Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	10		# Black Males	0	0%
Total # Females	5	50	# White Males	4	40
		%			%
Total # Males	5	50	# Other Males	1	10
		%			%
			# Black Females	0	0%
			# White Females	5	50
					%
			# Other Females	0	0%

6. Bid: Replacement Cargo Vans

Purpose of Bid: Provides the Fleet Maintenance Department with two (2) replacement cargo vans for the Police Department -Forensics Section.

Comments:

2 vans @ \$21,452.00

Opened: 12/10/2014

Bidders: University Ford * \$42,904.00

Durham, NC

Leith Nissan \$46,778.16

Cary, NC

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*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	133		# Black Males	16	12%
Total # Females	19	14%	# White Males	97	72%
Total # Males	114	86%	# Other Males	1	1%
			# Black Females	1	1%
			# White Females	18	14%
			# Other Females	0	0%

7. **Bid:** **Sliding and rolling doors**
Purpose of Bid: Provides the General Services Department with two (2) replacement rolling for the City Hall-Annex building.
Comments:

2 doors @ \$5,363.00
 Opened: 12/10/2014
 Bidders: Loading Dock Systems * \$10,726.00
 Raleigh, NC
 Carolina Industrial Systems, Inc. \$15,260.00
 Greensboro, NC
 Precision Door Service \$18,969.30
 Greensboro, NC

*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	132		# Black Males	4	3%
Total # Females	19	14%	# White Males	101	76%
Total # Males	113	86%	# Other Males	8	6%

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# Black Females	2	2%
# White Females	16	12%
# Other Females	1	1%

8. Bid: Replacement Cargo Van

Purpose of Bid: Provides the Fleet Maintenance Department with one replacement cargo van for the Transportation Department-DATA Division (Operations).

Comments:

Opened: 12/10/2014
 Bidders: University Ford * \$21,452.00
 Durham, NC
 Leith Nissan \$23,389.08
 Cary, NC

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	133		# Black Males	16	12%
Total # Females	<u>19</u>	14%	# White Males	<u>97</u>	72%
Total # Males	<u>114</u>	<u>86%</u>	# Other Males	<u>1</u>	1%
			# Black Females	<u>1</u>	1%
			# White Females	<u>18</u>	14%
			# Other Females	<u>0</u>	0%

9. Bid: Steel Posts

Purpose of Bid: Provides the Transportation Department with one thousand (1,000) Steel (U-channel) sign posts for the Traffic Sign Shop Division.

Comments:

1,000 ea. @ 17.99
 Opened: 12/11/2014

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Bidders:	P-M Tube &Specialties, Inc.	*	\$17,900.00
	Colfax, NC		
	MD Solutions		\$18,250.00
	Plain City, OH		
	IBIS Signs		\$22,240.00
	Johns Island SC		

*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	7		# Black Males	1	14 %
Total # Females	3	43 %	# White Males	2	29 %
Total # Males	4	57 %	# Other Males	1	14 %
			# Black Females	0	0%
			# White Females	3	43 %
			# Other Females	0	0%

10. Bid: Lawn Mowers
Purpose of Bid: Provides the Fleet Maintenance Department with two (2) replacement riding lawnmowers for the Parks and Recreation Department.
Comments:

Opened:	2 ea. @ \$13,150.00		
	12/12/14		
Bidders:	Revels Turf & Tractor LLC	*	\$26,300.00
	Fuquay-varina,NC		
	Barnhill Equipment Company		\$27,183.66
	Durham, NC		

*Awarded based on:	X	Low Bid	Other (See Comments)
	_____	_____	_____

WORKFORCE STATISTICS
CORPORATION STATISTICS

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Total Workforce	45		# Black Males	3	7%
Total # Females	5	11	# White Males	37	82
		%			%
Total # Males	40	89	# Other Males	0	0%
		%			
			# Black Females	0	0%
			# White Females	5	11
					%
			# Other Females	0	0%

11. **Bid:** **Lawn Mowers**
 Purpose of Bid: Provides the Fleet Maintenance Department with a replacement riding lawnmower the Neighborhood Improvement Services Department Impact Team.
 Comments:

Opened: 12/17/2014
 Bidders: Revels Turf & Tractor LLC * \$13,150.00
 Fuquay-varina,NC
 Barnhill Equipment Company \$13,641.33
 Durham, NC

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	45		# Black Males	3	7%
Total # Females	5	11	# White Males	37	82
		%			%
Total # Males	40	89	# Other Males	0	0%
		%			
			# Black Females	0	0%
			# White Females	5	11
					%
			# Other Females	0	0%

12. **Bid:** **Meter Fitting**

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Purpose of Bid: Provides the Water Management Department with one hundred (100) replacement water meters for use by the Water and Sewer Operations Division.

Comments: 3

Opened: 100 ea. @ \$157.50
 12/12/14
 Bidders: HD Supply Waterworks * \$15,750.00
 Morrisville, NC 27560
 Diversified Mechanical, Ltd. \$17,000.00
 Durham, NC
 Neptune Technology Group Inc. \$17,500.00
 Tallassee, AL

*Awarded based on: X Low Bid Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

Total Workforce	16		# Black Males	3	19%
Total # Females	1	6%	# White Males	12	75%
Total # Males	15	94%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	1	6%
			# Other Females	0	0%

SUBJECT: LEASE BETWEEN THE CITY OF DURHAM AND YARBORO AND HESSEE WAREHOUSES, LLC AT 700 N. ALSTON AVENUE (PARCEL ID 111319)

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Brown, to authorize the City Manager to execute a four year lease with Yarboro and Hessee Warehouses, LLC in the amount of \$125,820.50; and

To authorize the City Manager to exercise extensions to the lease term up to six additional years was approved at 7:10 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-

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McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None.
Absent: None.

The City Council disposed of the following agenda items at the January 22, 2015 Work Session:

6. Amendment to Contract with Terracon Consultants, Inc. for Additional Investigation and Testing Services for the Police Headquarters Complex Project.

(This item was approved at the 1-22-15 Work Session with a vote of 6/0)

9. Delores C. Bynum

(Comments were received at the 1-22-15 Work Session)

10. Lamont Samuel

(Citizen did not appear at the 1-22-15 Work Session)

[GENERAL BUSINESS AGENDA - PUBLIC HEARINGS]

**SUBJECT: PUBLIC HEARING AND RECOMMENDED AGREEMENT FOR
ECONOMIC DEVELOPMENT INCENTIVE WITH A&J CAPITAL,
CORPORATION**

Chris Dickey, Office of Economic Development and Workforce Development, presented the staff report; requested that Council consider approval of a proposed agreement between the City of Durham and A&J Capital Corporation; stated that according to the agreement, the City would appropriate to A&J Capital Corporation up to a total of \$170,000.00 for capital improvements within the Community Development Area located at 406 S. Driver in Durham NC; indicated the project was titled, *Project Ashley Corners*, with a total project cost of \$525,333 and the public recommended contribution was \$170,000; spoke to the proposed project producing \$355,336 in private investment with \$170,000 in City funding, resulting in a 2.09:1 ratio of private to public funding; elaborated that the thrust of the Neighborhood Revitalization Grant Incentive was to redevelop commercial buildings that would have a substantial impact on the physical economic vitality of the affected neighborhood and strengthen the City of Durham tax base in the area. The proposed project was located along and OEWD targeted commercial located in NECD. Prior to the building being purchased in August of 2014, the City of Durham's Neighborhood Improvement Services Department in September of 2013 cited 406 S. Driver Street as an unsafe building that contributed to blight, disease and vagrancy.

Mr. Dickey continued with his presentation indicating that the proposed project would eliminate hazards that posed an imminent threat to the health and safety of the general public; and that the project was being recommended for funding based on its alignment with the goals and objectives of the Neighborhood Revitalization Grant Incentive Program. When completed, the project would be redeveloped into an 8500 (SF) mixed use commercial/residential two-level building. The first floor would consist of four commercial bays totaling approximately 6,250 (SF) and the second level was slated for two residential apartments; each unit would be approximately 1,125(SF). Additionally, the project would stimulate new business development and provide additional

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housing opportunities in the neighborhood; and stated that city support was needed to assist A&J Capital Corporation in securing funding for the project; and that he was available for questions.

Mayor Bell requested the photograph of the building be displayed for the audience.

Councilmember Schewel thanked staff for the project and presentation; stated the building was located at a very important corner; inquired if the city required and reviewed the operating pro-forma for the building; asked if staff felt confident that the enterprise would be successful; and inquired, relative to the public subsidy, if there was a guarantee for long-term affordability of the two housing units on the second floor.

Mr. Dickey responded in the affirmative relative to the pro-forma and the project's success; that an independent study was conducted by the City and that a bank had been contacted to determine the project's viability; acknowledged that no funds would be dispersed until the project was completed; reiterated that the thrust of the program was revitalization that happened to be a mixed-use development; and noted that the developer stated he would like to put affordable housing at that location, but that such was not included in the economic development agreement.

Councilmember Schewel requested that in the future, when developers state they will construct affordable housing and subsidized by the city, that a guarantee be provided.

Mayor Bell stated that the project was located in a major corridor and that the city was invested in the neighborhood; and spoke on the positive appearance of having traffic light designs without electrical wiring hanging from them.

Councilmember Davis stated the project was on the edge of the Census tract that Council had been dealing with and was associated with the Mayor's poverty initiative and revitalization program.

Mayor Pro-Tem Cole-McFadden indicated the developer had strong ties to Durham; and congratulated the developer for the progress made on the project.

Mayor Bell asked if Council had additional comments; opened the public hearing; stated for the record, no one from the public asked to speak to the item; and closed the public hearing.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Brown, to conduct a public hearing to receive comments on the proposed economic development incentive agreement per G.S. 158-7.1; and

To authorize the City Manager to execute an economic development incentive agreement with A&J Capital, Corporation in an amount not to exceed \$170,000.00 for a building renovation project at 406 S. Driver Street, Durham, North Carolina was approved at 7:18 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

[ITEM PULLED FROM THE CONSENT AGENDA]

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SUBJECT: RESOLUTION AUTHORIZING A PUBLIC ART PROJECT ON THE NC 147 RETAINING WALL ON THE SOUTH SIDE OF WILLARD STREET

Mayor Bell stated there was a speaker to the item.

Mark Iwinski spoke in support of the mural; expressed concern about the mural being discussed as to whether the mural supported the Durham Bulls; stated the design elements, aesthetic quality and dynamic color enhanced the character of the retaining wall; noted that as Durham progressed, that quality art be considered with aesthetic worth reflecting the city's vibrancy and character; and requested Council support the public art project and resolution.

MOTION by Mayor Pro Tempore Cole-McFadden, seconded by Councilmember Schewel, to adopt a Resolution Authorizing the City of Durham's application for public art on the NC 147 ("Durham Freeway") retaining wall on the south side of Willard Street near the Blackwell Street intersection in accordance with the North Carolina Public Art on the Right of Way Policy was approved at 7:21 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Councilmembers Brown, Catotti, Davis, Moffitt and Schewel. Noes: None. Absent: None.

RESOLUTION #9919

There being no further business to come before the Council, the meeting was adjourned at 7:22 p.m.

Dianalynn Schreiber, CMC, NCCMC
Deputy City Clerk

D. Ann Gray, MMC, NCCMC
City Clerk